

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD **MONDAY**, AUGUST 2, 2004

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
 54111 BROUGHTON ROAD
 MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
 MICHAEL D. KOEHS, SECRETARY
MEMBERS: DEAN AUSILIO
 ROGER KRZEMINSKI
 KENNETH MEERSCHAERT, SR.
 JOA PENZIEN
 ARNOLD THOEL

ABSENT: NONE

ALSO PRESENT: Colleen O'Connor, Township Attorney
 Jerome R. Schmeiser, Community Planning Consultant
 (Additional attendance on file with Clerk)

Call Meeting to Order.

Chairman GALLAGHER called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

1. Roll Call.

Clerk KOEHS called the Roll. All members present.

2. Approval of Agenda Items. (*With any corrections*)

MOTION by AUSILIO seconded by PENZIEN to approve the agenda as amended including tabling item numbers 5 & 6 at the petitioners request to the August 17, 2004 Planning Commission Meeting.

MOTION carried.

3. Approval of the July 6, 2004 previous Meeting Minutes

MOTION by KRZEMINSKI seconded by THOEL to approve the July 6, 2004 Meeting Minutes.

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MOTION carried.

4. Consent Agenda Items:
 - a. Extension of Time; Preliminary Site Condominium Plan Review; Lake Arrowhead; Located on the east side of Card Road approximately ½ mile north of 21 Mile Road; Christopher Cousino, Petitioner. Permanent Parcel No. 08-26-100-006 (*Expires August 13, 2004*)

MOTION by KRZEMINSKI seconded by AUSILIO to forward the recommendation for the consent agenda item to the Township Board of Trustees to approve the request as submitted.

MOTION carried.

AGENDA ITEMS:

5. Site Plan; Fountains of Macomb; Located on the Northeast corner of 21 Mile Road and Hayes Road (excluding the immediate corner); Rogvoy Architects, Petitioner. Permanent Parcel No. 08-30-354-022 (*Tbld from the July 20, 2004 Meeting*)

Tabled at the petitioners request to the August 17, 2004 Planning Commission Meeting.

6. Ground Sign; Fountains of Macomb; Located on the Northeast corner of 21 Mile Road and Hayes Road (excluding the immediate corner); Rogvoy Architects, Petitioner. Permanent Parcel No. 08-30-354-022 (*Tbld from the July 20, 2004 Meeting*)

Tabled at the petitioners request to the August 17, 2004 Planning Commission Meeting.

7. Final Preliminary Plat; Bellagio Subdivision (264 lots); Located on the South side of 26 Mile Road West of Romeo Plank Road. Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Frank Mancini and Pete Snyder of Urban Land Consultants.

Public Portion: None

The Members of the Board held further discussions with the petitioners addressing the issues with the plat. After further discussion the petitioner requested to table the item to the next regular scheduled Planning Commission Agenda.

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MOTION by AUSILIO seconded by THOEL to table the item at the petitioners request to the Planning Commission Meeting of August 17, 2004 for the Final Preliminary Plat; Bellagio Subdivision (264 lots); Permanent Parcel No. 08-06-200-046.

MOTION carried.

8. Special Land Use for Satellite Dishes; Telesat Canada; Located on the South side of Leone Drive; East of industrial Drive; Bryan Herman, Petitioner. Permanent Parcel Number 08-18-326-026

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed the findings and recommendations for denial for agenda number 8 and 9.

Petitioner Present: Lowell Keats

Mr. Keats reviewed the request with the Board. The Board addressed their concerns with the request. Mr. Keats requested to table the item to address the issues with the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by THOEL to table the item at the petitioners request for thirty (30) days for the Special Land Use and Site Plan for Satellite Dishes; Telesat Canada; Permanent Parcel Number 08-18-326-026

MOTION carried.

9. Site Plan; Telesat Canada; Located on the South side of Leone Drive; East of industrial Drive; Bryan Herman, Petitioner. Permanent Parcel Number 08-18-326-026

This item was reviewed with agenda number 8. Please refer to agenda number 8 for the motion.

10. Ground Sign; Tiffany Office Building; Located on the South side of 23 Mile Road 400 feet East of Hayes Road; Dan Cook, Petitioner. Permanent Parcel No. 08-19-100-001

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Not Present

Public Portion: None

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MOTION by KRZEMINSKI seconded by AUSILIO to approve the Ground Sign; Tiffany Office Building. Permanent Parcel No. 08-19-100-001. This motion is based on the Planning Consultants recommendations as follows:

- 1. That Section 10.0319 of the Zoning Ordinance be met.**
- 2. That the surface area of the one side of the sign be met limited to the 32 square feet.**
- 3. That a \$500.00 cash bond be posted assuring the installation of the sign as approved.**

MOTION carried.

11. Site Plan for Temporary Sales Trailer; Gateway Village Estates Subdivision; Located on the East side of Hayes Road, ¼ mile North of 24 Mile Road. Sal-Mar Gateway Village Estates, LLC, Petitioner. Permanent Parcel No. 08-07-300-014

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Not present

Public Portion: None

Member THOEL addressed his concerns with the request. After due consideration, the Board voted to table the item to next meeting so that the petitioner can address the concerns with the request.

MOTION by THOEL seconded by AUSILIO to table the item to the Planning Commission Meeting of August 17, 2004 Site Plan for Temporary Sales Trailer; Gateway Village Estates Subdivision; Permanent Parcel No. 08-07-300-014

MOTION carried.

12. Revised Preliminary Plan for Site Condominium; Lake Arrowhead; Located on the East side of Card Road approximately ½ mile North of 21 Mile Road; Christopher Cousino, Petitioner. Permanent Parcel No. 08-26-100-006

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Larry Miller of Anderson Eckstein & Westrick

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Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Revised Preliminary Plan for Site Condominium; Permanent Parcel No. 08-26-100-006. This motion is pursuant on the Planning Consultants recommendations as follows:

1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with the State Condominium Act and the Macomb Township Land Regulations Ordinance.
 - a. Macomb County Road Commission
 - b. Office of Public Works Commission of Macomb County
 - c. Macomb County Health Department
 - d. Macomb County Planning Commission
 - e. Michigan Department of Environmental Quality
 - f. All public utility companies affected.
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street to be installed by the petitioner.
2. The Township Engineer approves all engineering plans for the computed plan.
3. Further, that the Township Engineer be satisfied that those conditions imposed as part of the preliminary plan approval be met.
4. All street names are cleared by the Township Supervisor for purposes of continuity prior to submission of the Preliminary Plan to the Township Board. That the petitioner submits 2 copies of the plan to the Supervisors office for addressing. Addresses will be assigned after final preliminary plan approval by the Township Board.
5. That the preliminary approval expires one year from the date of Township Board approval.
6. That the petitioner submits 2 copies of the restrictive covenants that will be recorded with the plan.
7. That the petitioner provides a letter from the Township Assessing Department that the properties involved in the plat have been properly divided, split and /or recorded with their office according to the Macomb Township Codes and Ordinances.

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8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That all sites meet the requirements of the Township Zoning Ordinances.
10. That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
11. MDEQ - That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA prior to the issuance of any building permits.
12. That the "20' common area for landscaping purposes" be developed in accordance with the provisions of the Land Division Act of Macomb Township. A plan for the area must be prepared by a registered landscape architect and include a layout of plants proposed for the area, an irrigation system including sprinklers, mulching materials for planting beds and details for the installation of all features of the plan. Also to be included is a cost estimate for the development of the area. Said cost list to be prepared by the registered landscape architect who prepared the plan.
13. That the landscape areas be identified as a common area in the Master Deed.
14. That a bond in the amount to be determined by the Township Engineer based upon the estimates prepared in accordance with item number 12. above be posted assuring the development of the landscape area.
15. That the Master Deed be amended and approved by the Township Attorney.
16. The ground sign as indicated in the boulevard entrance may not be part of this approval. Only the Road Commission of Macomb County (RCMC) may approve the location of a ground sign in the boulevard entrance. The Planning Commission must approve the final location if authorized by the RCMC.

MOTION carried.

13. Tentative Preliminary Plat; Riverwoods Farms Subdivision (61 lots); Located approximately ½ mile South of 21 Mile Road, approximately ¼ mile East of

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Romeo Plank Road; Byron Nichols, Petitioner. Permanent Parcel No. 08-33-151-009

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Larry Miller of Anderson Eckstein & Westrick

Public Portion: Township residents addressed their concerns regarding stub streets, street names, construction traffic, and the easements involved with the plat.

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Tentative Preliminary Plat; Riverwoods Farms Subdivision (61 lots); Permanent Parcel No. 08-33-151-009. This motion is pursuant on the Planning Consultants recommendations as follows:

1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:
 - a. Macomb County Road Commission
 - b. Office of Public Works Commission of Macomb County
 - c. Macomb County Health Department
 - d. Macomb County Planning Commission
 - e. Michigan Department of Environmental Quality
 - f. All public utility companies affected.
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.
2. The Township Engineer approve all engineering plans for the computed plat.
3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval be met.
5. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.
6. Flood Plan Map Amendments and or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental (MDEQ). Further, MDEQ must

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review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.

7. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
8. That a bond in the amount to be determined by the Township Engineer based upon estimates submitted by the landscape architect for the proprietor be posted assuring the development of the "landscape easement." The "landscape easement" is that area to be labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping." The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.
9. That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.
10. All street names must be cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. Therefore, the petitioner shall submit 2 copies of the plat to the Supervisor's Office for addressing. Addresses will be assigned after Final Preliminary Plat approval by the Township Board.
11. That the petitioner submits two (2) copies of the restrictive covenants that will be recorded with the plat. Said covenants must include an article to provide for the perpetual maintenance of all limited common areas that may include regulated wetlands, landscape areas and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.

If a 'phasing plan' has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.

14. Motion to receive and file all correspondence in connection with this agenda.

MOTION by PENZIEN seconded by KOEHS to receive and file all correspondence in connection with this agenda.

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MOTION carried.

PLANNING CONSULTANTS COMMENTS: None

PLANNING COMMISSION COMMENTS: None

ADJOURNMENT:

MOTION by AUSILIO seconded by PENZIEN to adjourn the meeting at 8:37 p.m.

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmb